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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,262	12/03/2003	Kevin W. Glass	80107.099US1	4905

7590 12/28/2005

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EXAMINER

NGUYEN, KHANH V

ART UNIT	PAPER NUMBER
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2817

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/727,262

Applicant(s)

GLASS ET AL.

Examiner

Khanh V. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4-8, 10-13, 15-23, 25-29 and 31-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1, 10-13, 15-23, 25 and 31-34 is/are allowed.
- 6) ☒ Claim(s) 4-8 and 26 is/are rejected.
- 7) ☒ Claim(s) 27-29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/22/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 4-6, 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Navidi et al. (4,706,038).

Regarding claim 4, Navidi et al. (Fig. 2) disclose a Darlington cascode amplifier comprising: an input transistor (22) and a second transistor (24) coupled as a Darlington pair; a resistor (62) coupled to the emitter of input transistor (22) can be read as bias circuit which is capable of increasing a collector-to-emitter bias current in the input transistor (22); and a cascode transistor (40) coupled between an upper power supply node (Vcc) and collectors of the input and second transistors.

Regarding claim 5, wherein three resistors (no label) coupled between Vcc and the base of cascode transistor (40) can be read as a second bias circuit to bias the cascode transistor at its base.

Regarding claim 6, wherein resistor (no label) coupled between the base of the input transistor (22) and a ground can be read as a third bias circuit.

Regarding claim 26, Navidi et al. (Fig. 2) disclose a Darlington cascode amplifier comprising: an input transistor (22) and a second transistor (24) coupled as a Darlington

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pair; a resistor (62) coupled to the emitter of input transistor (22) can be read as bias circuit which is capable of increasing a collector-to-emitter bias current in the input transistor (22); three resistors (no label) coupled between Vcc and the base of cascode transistor (40) can be modified a bias voltage on the cascode transistor (40) which is coupled between an upper power supply node (Vcc) and collectors of the input and second transistors of the Darlington pair.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Navidi et al.

Navidi et al. disclose (Fig. 2) disclose the claimed invention except the transistor is either heterojunction bipolar transistor or Indium Phospate transistor. Navidi et al. disclose bipolar transistor. However, the substitution of one well known type of transistor for another would have been obvious in the absence of unexpected results, particularly as both heterojunction bipolar and Indium Phospate transistors are widely used in amplifier circuitries.

Allowable Subject Matter

Claims 1, 10-13, 15-23, 25, 31-34 are allowed.

Claims 27-29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1, 10-13, 15-17, 22, 23, 25, 31-34 call for, among others, a bias circuit comprises an operational amplifier having the function as claimed.

Claims 18-21 call for, among others, a control circuit having the function as claimed.

Claims 27-29 call for, among others, method of applying a reference signal and measuring an output voltage as claimed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh V. Nguyen whose telephone number is (571) 272-1767. The examiner can normally be reached from 8:00 AM - 3:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (571) 272-1769. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Khanh Van Nguyen', with a long horizontal flourish extending to the right.

KHANH VAN NGUYEN
PRIMARY EXAMINER
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